IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.3025 OF 2005

Baba Shisa Sing & Ors. ...Applicants

Versus

Sau.Vimal Dilip Marane & Anr. ...Respondents

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Mr.Anilkumar K.Patil for Applicants.

Ms.M.M.Deshmukh, A.P.P. for Respondent No.2.

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CORAM: A.M.KHANWILKAR, J.

DECEMBER 1, 2005.

P.C.

1. As alternative efficacious remedy is available to the Applicants by way of revision before the Sessions Court in view of the decision of this Court in the case of **V.K.Jain & Ors. vs. Pratap V.Padode reported in 2005(3) Mh.L.J. 778.**, Counsel for the Applicants fairly prays for withdrawal of this Application with liberty to take recourse to remedy of revision. Hence, dismissed as withdrawn with liberty as prayed. All questions

are left open.

2. In case, there is any delay in filing Revision Application, Court will take into account the fact that the Applicants had first approached this Court, which period will have to be excused in computing delay.

A.M.KHANWILKAR, J.